



Western Australia

Minutes for the Special Meeting of the Murchison Shire Council,  
Held in the Council Chambers, Carnarvon Mullewa Road, Murchison,  
On Wednesday 25<sup>th</sup> January, **2012**, commencing at 9:19 am.

**TABLE OF CONTENTS**

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS .....3

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE .....3

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....3

4. PUBLIC QUESTION TIME .....3

5. NEXT MEETING.....3

6. APPLICATIONS FOR LEAVE OF ABSENCE.....3

7. SPECIAL ITEM TO APPOINT J N WARNE AS ACTING CEO .....3

8. CONFIRMATION OF MINUTES .....4

9. ANNOUNCEMENT BY PRESIDING PERSON WITHOUT DISCUSSION .....4

10. DISCLOSURE OF INTERESTS.....4

11. REPORTS OF COMMITTEES ..... 4-6

12. . OTHER ITEMS FOR CONSIDERATION THIS MEETING ..... 6-10

13. MEETING CLOSURE.....10

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President welcomed everyone and opened the meeting at 9:19 am.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

**Elected Members:**

Councillor S A Broad, Shire President  
Councillor R E Foulkes-Taylor, Deputy Shire President  
Councillor M W Halleen  
Councillor B M Seaman  
Councillor D A McTaggart  
Councillor P R Squires

**Staff:**

Mr J N (Neil) Warne, Acting Chief Executive Officer  
Mr Brian Wundenberg, Works Supervisor

**Apologies:**

Nil.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Not appropriate this meeting.

4. PUBLIC QUESTION TIME

No members of the public were in attendance.

5. NEXT MEETING

Just a reminder that this will be the Ordinary Council meeting scheduled for Friday 17<sup>th</sup> February, 2012.

6. APPLICATIONS FOR LEAVE OF ABSENCE

Not appropriate for this meeting.

7. SPECIAL ITEM TO APPOINT J N WARNE AS ACTING CEO

**Background:**

The previous CEO Mr Sully finished her 28<sup>th</sup> December, 2012. Neil Warne had previously been approached via WALGA's Employment Solutions service and had agreed to be appointed Acting CEO from 16<sup>th</sup> January, 2012 for a period of 2-3 months but without a definite end of relief period date. The arrangements and salary payable to Mr Warne have been negotiated with the Shire President.

**Interest Declared:**

None

**Statutory Environment:**

Council is required to appoint a person to be the CEO.

**Financial Implication:**

Provision provided in current budget.

**Voting:**

Simple majority

**OFFICER'S RECOMMENDATION**

That Council appoint James Neil Warne Acting Chief Executive Officer as from 16<sup>th</sup> January, 2012 for a period of approximately three months but noting that a definite end period has not been determined with arrangements and salary as negotiated with the Shire President and advised to councillors.

**COUNCIL DECISION**

Moved Cr Halleen seconded Cr Squires that Council appoint James Neil Warne Acting Chief Executive Officer as from 16<sup>th</sup> January, 2012 for a period of approximately three months but noting that a definite end period has not been determined with arrangements and salary as negotiated with the shire President and advised to Councillors.

CARRIED 6-0

## 8. CONFIRMATION OF MINUTES

No minutes for confirmation this meeting.

## 9. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

The President reminded Councillors that this was a special meeting to consider specific items as per the agenda. There may be an opportunity to consider a couple of pressing matters which have arisen since the agenda was formulated.

## 10. DISCLOSURE OF INTERESTS

Cr Squires sought advice from the Acting CEO as to whether he may have an interest in matters listed as Items 15A Tenders for Road Works SLK 199 to 206 Carnarvon-Mullewa Road and 15B Tenders for Contract Maintenance Grading on the agenda.

The Acting CEO responded.

Cr Squires declared an interest in Agenda Items 15A Tenders Road Works SLK 199 to 206 Carnarvon-Mullewa Road and 15B Tenders for Contract Maintenance Grading.

*Cr Squires left the meeting 9.28 am.*

**COUNCIL DECISION**

Moved Cr Foulkes-Taylor seconded Cr Seaman that Council note the interest declared by Cr Squires and is of the opinion that the nature of the interest is such that Cr Squires should be permitted to remain in the Council Chambers while these matters (Items 15A and 15B on the agenda but 12A and 12B in these minutes) are considered and be allowed to speak but he leave the Council Chambers prior to any decision/vote is taken in relation to these items.

CARRIED 5-0

*Cr Squires returned to the Council Chambers and resumed his seat. 9.31 am*

The Works Superintendent Mr Brian Wundenberg attended the meeting also at 9.31 am

## 11. REPORTS OF COMMITTEES

Building Management Committee – 17<sup>th</sup> January, 2012. Separate minutes e-mailed to Councillors.

**Interests Declared:**

None

**Statutory Environment:**

Council is permitted to expend funds in maintaining its residences.

**Financial Implications:**

Provision on the current budget for Housing Maintenance

**Voting:**

Simple majority

**COMMITTEE RECOMMENDATION**

That works and improvements to the CEO's Residence as per the minutes of the Buildings Management Committee Meeting held 17<sup>th</sup> January, 2012 be proceeded with.

**COUNCIL DECISION**

Moved Cr Foulkes-Taylor seconded Cr Squires that the recommendations of the Building Management Committee that in relation to the CEO's residence

1. A complete paint of the interior of the residence be undertaken – soft colours as discussed-with staff member John Daniels undertaking this task and that Council approve of the services of another painter be accessed to work with/under the direction of Mr. Daniels with the Acting CEO approving of the hourly rate for that person prior to this arrangement commencing.
2. A new evaporative conditioner, largest domestic model, be purchased and installed (supply and installation same company) using existing ducting – all appears in good order- and that a representative of Council be on site during this installation.
3. The three sides of aged and rusted steel mesh and spinifex around the carport on the eastern side of the residence be removed.
4. The old wire and steel picket front fence of the house block be removed and this be replaced with a new low level decorative fence and a fence be provided from the SE corner of the CEO yard fencing to the front fence.
5. The water tank at the rear of the residence be removed.
6. The laundry be painted out.
7. The verandah shower area and toilet be cleaned.
8. The disused items in the external shower and store room be removed and disposed of and the store be cleaned and the shower made serviceable.
9. The accumulated leaves and litter in the yard be progressively raked up and removed.
10. The front border garden areas be improved with soil/mulch input and hardy plants and say three large pots be obtained for front verandah pot plants

be adopted

and in addition a door (this could be a concertina retractable door) be installed at the kitchen end of the passage to the bedrooms as an aid to distributing cool air ex the split system in one of the south side bedrooms.

CARRIED 6-0

## AIRSTRIP

**Background:**

The committee noted the NDB airstrip equipment stored in the external store room. This (brand new) equipment appears to be part of the airstrip upgrade and consists of solar panels, battery, control box and aerial etc. It would need to be erected/installed at the airstrip by a CASA approved installer.

**Author:** Acting CEO

**Interest Declared:** Nil

**Statutory Environment :**

Council is permitted to maintain airstrips under its control

**Financial Implications:**

This equipment has been paid for. There will be a cost to install and set it up. This will be known before the work commences.

**Voting:**

Simple majority

**COMMITTEE RECOMMENDATION**

That investigation's be made as to the installation at the airstrip of the NDB airstrip equipment which is stored in the external store room at the CEO's Residence.

**COUNCIL DECISION**

Moved Cr Squires seconded Cr Foulkes-Taylor that the recommendation of the Buildings Committee that investigations be made as to the installation of the NDB airstrip equipment which is stored in the external store room at the CEO's Residence, be adopted.

CARRIED 6-0.

## 12. OTHER ITEMS FOR CONSIDERATION THIS MEETING

**A. Tenders for the road preparation (construction work) of 7 kms Carnarvon Mullewa Road from SLK 199 to SLK 206.****Author:** Acting CEO.**Interest Declared:** Nil.**Statutory Environment:**

Council is authorised to call tenders for such work. Tenders were called in accordance with the L G Tender Regulations on Councils behalf by Greenfield Technical Services.

**Financial Implications:**

Greenfield Technical Services information says Council has \$800,000 for this (total – road construction and sealing) project. The current budget provides for Income of \$884,452 from R4R Funds and in the expenditure `Construction Carnarvon-Mullewa Road seal \$884,452'. Confirmation that these funds are available will be obtained prior to the meeting and advice in the affirmative would have to be considered a pre-requisite to the acceptance of the tender.

**Voting:** Simple majority**Background and Comment:**

Greenfield's called tenders for the plant hire (road construction part of the project) on Council's behalf in November 2011 closing 6<sup>th</sup> December. On tenders closing four tenders were received. These have been assessed by Michael Keene Greenfield Technical Services. The tenders range from \$534,280 to \$676,445. GTS recommends the tender of JMC Truck and Loader hire of \$562,095 for the completion of 7 kms road construction. GTS also calculated the other portions of the total job at \$319,252 – the same for all tenders. All additional information already provided to Councillors.

**OFFICER'S RECOMMENDATION**

That the tenders for the construction (preparing for sealing) of seven kilometres Carnarvon-Mullewa Road SLK 199 to 206 be received together with advice from Greenfield Technical Services and the tender submitted by JMC Truck and Loader Hire of \$562,095 be accepted.

**Additional Note.**

That the tender of \$562,095 plus the estimated cost of the actual seal plus other costs of \$319,252 total \$881,347. Note also the road construction will be paid on actual hours worked (information from GTS documentation), not the estimated hours, therefore the final cost of the work is likely to vary somewhat from the estimate above.

Council considered the tenders submitted and the recommendation in detail. Council expressed the opinion that the kind of tender received was not as expected. A fixed price 'for the job' tender was expected. This would have provision for a successful tenderer to claim extras should extenuating circumstances (i.e. a major weather event) occur.

Such a whole of job tender would have limited Council involvement with the successful tenderer/contractor being responsible for everything including supervision, fuel and the welfare of his staff.

Any input by Council would be contact with the Principal Contractor by Council Officers.

*Cr Seaman left the meeting 10.07 am  
Cr Seaman returned to the meeting 10.09 am*

*Cr Mc Taggart left the Council Chambers 10.20 am  
Cr McTaggart returned to the council Chambers 10.24 am*

*Cr Squires, having previously declared an interest left the meeting 10.25 am*

## COUNCIL DECISIONS

Moved Cr Halleen seconded Cr Foulkes-Taylor that the Officer's Recommendation be not adopted and that all tenders be rejected.

CARRIED 5-0

Moved Cr Foulkes-Taylor seconded Cr Halleen that fresh tenders be called for a fixed price for the road works component and the bitumen component – all work one tender- SLK 199 - 206 Carnarvon-Mullewa Road and that Greenfields Technical Services be asked to prepare the tender documentation (and call tenders on Council's behalf) which would need to include a description of the roadworks, flood ways construction, locations and width, quality and application rate of bitumen etc and include provision for consideration of claims for said to be extenuating circumstances (should they occur) and that GTS be asked to proceed with this forthwith and provide an estimate of the cost of this documentation preparation.

CARRIED 5-0

## MORNING TEA

*Council adjourned for morning tea 10.35 am  
Council resumed 10.57 am*

## B. Tenders for Contract Maintenance Grading

**Author:** Acting CEO

**Interest Declared:** Nil

### **Statutory Environment:**

Council is authorised to call tenders for such work. Tenders were called in accordance with the L G tender regulations.

**Voting:** Simple majority.

### **Background:**

Following discussion in Council over an extended time in relations to the merits of having maintenance grading carried out by contract tenders were called for this kind of work. No formal decision in the form of a minute of Council exists directing staff to call tenders. It is not unusual for staff to call tenders for work or projects listed in a Council's budget if the work or project is of a nature internal staff cannot perform, is beyond the capacity of existing staff to perform or even just to 'test the water' as to cost.

A schedule of the tenders received attached.

### **Statutory Environment:**

Council is authorised to call tenders for such work. Tenders were called in accordance with the LG Tender Regulations.

**Comment:**

Although the reason for any decision which might result in maintenance grading by tender are not known to me I have doubts about the merits of contract grading as is proposed as demonstrated by the calling of tenders. My understanding is that Council has three graders and three competent operators who - I would think - are very familiar with the Shires road system and 'hot spots'. If there are any deficiencies in their work or level of production I would think Council has adequate 'in house' expertise to correct that.

Whenever a Council gets work contained in the budget carried out by contract there is less money to expend via Council staff and machinery and less control if there is a desire to 'pull back a bit'.

In reading the proposed contract I note that Council would be responsible for providing fuel and cutting edges and scarifying tips. My view is a contractor should be responsible for everything. A contractor is there to make a profit and such a contractor is supposed to relieve council of just about everything connected with the job. With proposal on the table, in addition to constant supervision, Council has to be at the beck and call of the contractor in relation to fuel and grader blades. I visualise constant problems about the supply of fuel and the provision and quality of grader blades.

At this time in the life of the Shire to take on any new venture which adds to the work of the staff or proves difficult in implementation could be a mistake. To add to this is the –my view- unproven financial advantage.

**OFFICER'S RECOMMENDATION**

1. That the action of the staff in calling for tenders for maintenance grading as per the advertisement published be endorsed.
2. That the list of tenders for maintenance grading be received and Council not accept any of the tenders submitted, and all tenderers be thanked and advised accordingly and Council review this matter in June 2012 with a view to providing for any change in its operations in the 2012/13 budget and in the meantime Council hire 'local' contract graders for urgent additional grading if required.

*Cr Squires who had previously declared an interest in this matter left the Council Chambers 10.58 am*

**COUNCIL DECISION**

Moved Cr Seaman seconded Cr Halleen

1. That the action of the staff in calling for tenders for maintenance grading as per the advertisement published be endorsed.
2. That the list of tenders for maintenance grading be received and Council not accept any of the tenders submitted, and all tenderers be thanked and advised accordingly and Council review this matter in June 2012 with a view to providing for any change in its operations in the 2012/13 budget and in the meantime Council hire 'local' contract graders for urgent additional grading if required.

CARRIED 5-0

At this stage the Works Superintendent reported that the maintenance grading was 'going well'. Council agreed that the standard of maintenance grading had improved in recent times.

*Cr Squires resumed his seat in the Council Chambers 11.10 am*

**C. Change of Fuel Suppliers – Matters to be considered**

Resume' of letter received (letter cannot be found in CEO's office)

Letter sent to Council from BP Reliance Geraldton advising that as a consequence of Council's change of fuel suppliers BP Reliance will want to have the fuel equipment made available to Council returned to Reliance.

This entails 1 x 27,000 ltr fuel tank and 2 x 8,000 ltr tanks mounted on trailers (although Mr Bill Mitchell advises that he thinks one of the 8,000 ltr tanks was actually purchased by Council some years ago).



The letter from Reliance apparently includes a possible remedy to the dilemma. At the time of preparing this Mr J McAlpine was unavailable on the phone but contact will be made with him prior to the meeting. Another matter is the 55,000 ltr tank made available by Bio-Tech Fuels (new suppliers) is not banded and will need to be banded in accordance with the storage of fuel regulations. Further information expected to be available at the meeting.

The CEO reported that Mr Mc Alpine had advised per telephone that a charge of \$135 per week was proposed in the letter that had been sent.

For discussion by Council.

### **COUNCIL DECISION**

Moved Cr Squires seconded Cr Foulkes-Taylor that Council enter into an arrangement with Reliance Petroleum to hire fuel tankers supplied by them and still in use by Council although Reliance Petroleum is no longer Council's fuel supplier at \$135/week (for all Reliance fuel tanks) for a period of one year commencing Monday 7<sup>th</sup> November, 2011 and that the ownership of the fuel tankers in use by Council be clarified (which ones are Reliance-which ones are Council owned), the Works Supervisor to determine this in conjunction with Reliance personnel.

CARRIED 6-0

### **Other Matters Considered**

#### **Power House –New Generators**

The Works Superintendent reported that the new generators, installed in early December 2011, were not operating fully satisfactorily. Excessive oil usage and the generators not 'changing over' one to the other when they should. The suppliers/installers came to Murchison on 24<sup>th</sup> January and spent several hours adjusting/testing these generators. The expectation was that this service by the two technicians was an after sales/guarantee type call with most of the cost being borne by the suppliers/installers. The Works Superintendent said he was not convinced the generators were now working 100% as they should.

Resolved the CEO with the Works Superintendent document the generator problems and write to the suppliers/installers detailing the on-going problems and also raising the problem of the generator closest to the electrical box producing heat which in turn raises the temperature inside and out of the electrical box.

#### **Patching 10 kms Carnarvon-Mullewa Road Immediately South of the Settlement**

This discussed briefly. This to be carried out by Council staff.

#### **Extra Works Accommodation**

This to be referred to the Works Committee

#### **Bridge 837 Carnarvon-Mullewa road over Murchison River**

The Acting CEO had been asked to re-activate the file on this with a view to a formal application for Royalties for Regions funding towards this project.

The Acting CEO asked Council to clarify the bridge option such an application would be based on. A resume' of the various options (all had been considered previously) were made available to Council.

Resolved that Council confirm that the Murchison River Bridge No 837 replacement option be-

Option 7.1 as per Consulting Engineers BG&E Report of 2 June 2008 Ref P06105\*089:  
Demolition and removal of the existing bridge structure and the construction of a new bridge on the current road alignment with the decking (the driving pavement) approximately 6-700mm (or a height higher than the existing as determined by bridge design personnel) higher than the existing.  
Cost as at 2008 for 2009 construction \$3,655,312 plus 5% compounding for each year since.

The Shire President mentioned the Chamber of Commerce workshop about the bridge attended by Penny Griffin held on 7<sup>th</sup> December, 2011.

*Cr McTaggart left the meeting 12.12 pm  
Cr McTaggart returned to the meeting 12.15 pm*

**RLCIP (Federal) Project \$30,000 Available**

This is the second phase of the not proceeded with shearers quarters ex Boolardy project. A replacement project is needed to enable these funds to be accessed.

**COUNCIL DECISION**

Moved Cr Seaman seconded Cr Squires that a cyclone standard shelter over the fuel bowzers at The Murchison Road House be the substitute project for the \$30,000 available through RLCIP funding and if the full \$30,000 is not expended on this shade (to partially block the sun mid-late afternoons over the front of the Road House be provided.

CARRIED 6-0

**WALGA REPORT IN RESPONSE TO THE MINISTER’S REVIEW OF METRO LG BOUNDRIES**

All Councils had been asked to indicate their support or otherwise to WALGA’s submission.

**COUNCIL DECISION**

Moved Cr Foulkes-Taylor seconded Cr Halleen that Council supports the WALGA submission in relation to the Minister’s Review paper on Perth Metropolitan Area Local Government Boundaries.

CARRIED 6-0

The President asked the Acting CEO to leave the meeting.

*The ACEO left the meeting 12.45pm*

**COUNCIL MEETING BEHIND CLOSED DOORS**

**COUNCIL DECISION**

Moved Cr Seaman seconded Cr Halleen that Council meet behind closed doors 12.46 pm.

The meeting proceeded.

Moved Cr Halleen seconded Cr Foulkes-Taylor that Council move from behind closed doors 12.50pm

The Acting CEO returned to the meeting

**13. MEETING CLOSURE**

The Shire President declared the meeting closed at 12.51 pm

These minutes were confirmed at the meeting of Council held.....  
  
Signed..... Presiding Officer